

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION—COLUMBUS

**Earnest O. Dublin, *et al.*,**

Plaintiffs,

V.

**Feta Transport, Inc., et al.,**

Defendants.

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

## **DEFENDANT FETA TRANSPORT, INC.'S NOTICE OF REMOVAL**

Now comes Defendant Feta Transport, Inc., by and through counsel, and hereby gives notice pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1332 of the removal of this action from the Franklin County, Ohio Court of Common Pleas, Case No. 22 CV 006429, to the United States District Court for the Southern District of Ohio, upon the following grounds:

1. Venue is proper in the United States District Court for the Southern District of Ohio because the underlying state court case was filed in Franklin County, Ohio.
2. In Plaintiffs' Complaint dated September 16, 2022 Plaintiffs allege state-law claims for negligence and negligent entrustment against Defendant Feta Transport, Inc. and Defendant John Doe; and each Plaintiff prays for money damages "in an amount in excess of \$25,000.00, plus interest and the costs of this action."
3. Defendant served each Plaintiff with a First Set of Requests for Admission on November 17, 2022. Both Plaintiffs served Defendant with their Responses on November 23, 2022. In each

of their responses, both Plaintiffs admit that they seek in excess of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, in this action. (**Exhibit A**).

4. Plaintiffs each also admit they are citizens of the State of Ohio. (**Exhibit A**).

5. Defendant Feta Transport, Inc. is a Michigan corporation with a principal place of business in Holt, Michigan.

6. Defendant Feta Transport, Inc. is the only defendant properly joined and served in this action.

7. As there exists complete diversity of citizenship between Plaintiffs and Defendant, and the amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest and costs, the United States District Court for the Southern District of Ohio possesses subject-matter jurisdiction pursuant to 28 U.S.C. § 1332.

8. Defendant timely files this Notice of Removal upon receipt of a subsequent paper providing “solid and unambiguous information that the case is removable.” *Forest Creek Townhomes, LLC v. Carroll Prop. Mgmt., LLC*, 695 Fed. Appx. 908, 912 (6th Cir. 2017).

9. This case may be removed to the United States District Court for the Southern District of Ohio pursuant to the provisions of 28 U.S.C. § 1441 and 28 U.S.C. § 1446.

10. Pursuant to 28 U.S.C. § 1446(a), copies of the docket sheet and the existing record of Franklin County Court of Common Pleas case no. 22 CV 006429 are attached to this Notice of Removal as **Exhibit B** and **Exhibit C**, respectively.

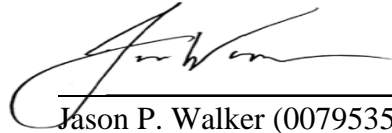
11. Pursuant to 28 U.S.C. § 1446(a), Defendant certifies that it has provided written notice of its removal to the Franklin County Clerk of Courts. (**Exhibit D**).

12. Defendant has also provided written notice of this Notice of Removal to Plaintiffs pursuant to the Proof of Service attached hereto.

Dated: December 9, 2022

Respectfully submitted,

ROLFES HENRY CO., LPA

A handwritten signature in black ink, appearing to read "J. Walker", is positioned above a horizontal line.

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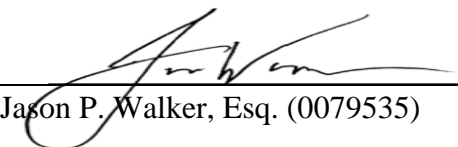
*ATTORNEYS FOR DEFENDANT  
FETA TRANSPORT, INC.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing Notice of Removal was filed today, December 9, 2022, using the Clerk of Courts' ECF system, which will automatically generate electronic notice of this filing to the email addresses of all attorneys on record. Additionally, this document was served via electronic mail upon the following:

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*Attorney for Plaintiffs*

  
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